

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:05CR3064
)
Plaintiff,)
)
vs.)
) **ORDER**
CHESTER GRANT HOLMES,)
)
Defendant.)

I have been provided with a retroactive sentencing worksheet prepared by the Probation Office. It is in error. The Probation Officer wrongly assumed that because a substantial assistance departure had been granted, the defendant is not eligible for a further reduction. The defendant is eligible for a reduction as the parties have stipulated. Therefore, I have calculated the reduction resulting from the crack cocaine retroactive amendments and that reduction is in fact 8 months as proposed by counsel in their stipulation. Accordingly,

IT IS ORDERED that the retroactive sentencing worksheet shall be filed but it is herewith noted that it is in error.

March 3, 2008.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge